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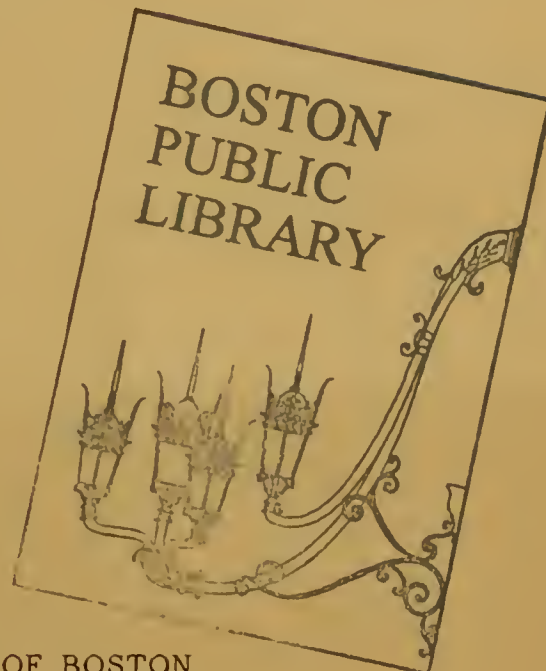
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APPLICATION FOR DESIGNATION OF THE
HARVARD AVENUE AREA CARD



CITY OF BOSTON

Kevin H. White, Mayor

BOSTON REDEVELOPMENT AUTHORITY

Robert L. Farrell, Chairman
Joseph J. Walsh, Vice-Chairman
James K. Flaherty, Treasurer
Clarence Jones, Member
William A. McDermott, Member
Kane Simonian, Secretary
Robert J. Ryan, Director

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Boston Redevelopment Authority

Robert J. Ryan, Director

May 29, 1981

Mr. Byron Matthews
Executive Secretary
Executive Office of Communities
and Development
100 Cambridge Street
Boston, Massachusetts 02201

Dear Secretary Matthews:

I am pleased to submit to you on behalf of the City of Boston the Harvard Avenue Area CARD Plan for your review and approval.

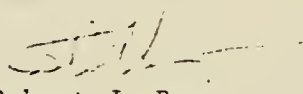
The Harvard Avenue Area CARD contains Allston/Brighton's largest commercial/retail area. This center has traditionally served as a viable resource for the residential neighborhoods that surround Harvard Avenue. Over the last ten years a negative trend of owner disinvestment and changing neighborhood character has resulted in an unhealthy mix of retail uses.

Presently, positive signs of increasing home ownership and a stabilizing residential population has provided incentives for reinvestment in the area. This CARD plan enhances those opportunities for the physical rehabilitation of the Harvard Avenue Area.

The availability of CARD-related development incentives will assist the developers of smaller residential, commercial, and mixed use projects to obtain permanent financing at lower than market interest rates and provide a needed catalyst to aid in the revitalization of this important area of Allston/Brighton.

I look forward to your timely adoption of the Harvard Avenue Area CARD Plan.

Sincerely,



Robert J. Ryan
Director



Commonwealth of Massachusetts

Executive Office of Communities and Development

Office of the Secretary

100 Cambridge Street Room 1404 Boston, Massachusetts 02202 (617) 727-7765

Edward J. King, Governor
Byron J. Matthews, Secretary

June 11, 1981

The Honorable Kevin H. White
Mayor, City of Boston
City Hall
Boston, MA 02202

Dear Mayor White:

We have received your request for approval of the City of Boston Harvard Avenue Area CARD Plan.

We note that the governing body on May 14, 1981 approved the above-mentioned plan as demarcating a Commercial Area Revitalization District. We further find, in accordance with the provisions of Chapter 40D (as amended by St. 1978, Chapter 495, Section 10) and of Chapter 23B (as amended by St. 1978, Chapter 499, Section 2) that:

1. The plan boundaries describe a predominately commercial geographic area;
2. That the plan's purpose shall be to prevent or avert and reverse the decay of the area covered by the plan;
3. That the plan will serve to avoid or correct the deterioration of an older commercial center resulting from the movement of commercial enterprises to previously non-commercial areas;
4. That the plan describes the area and sets forth the development or redevelopment, including public improvements, proposed to carry out the purpose of the plan.

We note that a public hearing was duly advertised and held on May 12, 1981. We find that these hearings and advertisements afforded ample opportunity for public comment and satisfy the hearing requirements of Section I. (4) of the Rules and Regulations for securing CARD Plan approvals.

We further note that the Boston Redevelopment Authority will be the overseeing agency for implementation of the CARD Plan.

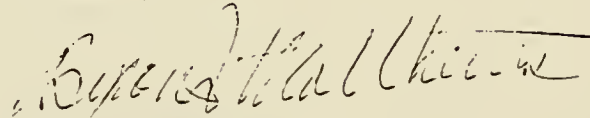


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Therefore, we hereby approve the City of Boston Harvard Avenue Area
CARD Plan.

Sincerely,

A handwritten signature in dark ink, appearing to read "Byron J. Matthews", written in a cursive style.

Byron J. Matthews
Secretary
Executive Office of
Communities and Development

BJM/cr

Harvard Avenue Area CARD

- 1.0 Rationale
- 2.0 Planning Objectives
- 3.0 Boundaries of the Harvard Avenue Area CARD
 - 3.1 General Physical Conditions
- 4.0 Land Use and Zoning
- 5.0 Plan Strategy
 - 5.1 Public Improvement and Local Financial Commitment
 - 5.2 Use of Development Incentives Available Within CARD Area
 - 5.3 General Character of Development
 - 5.4 Land Use and Design Controls
- 6.0 Conformance with Other Local Plans
- 7.0 Business Community and Citizen Participation Provision
 - 7.1 Business Community and Citizen Participation in the Development of the Harvard Avenue Area CARD Plan
 - 7.2 Business Community and Citizens Participation in the Implementation of the Harvard Avenue Area CARD Plan
- 8.0 Project Certification and Submission Requirements
- 9.0 Description of the Implementing Agency
- 10.0 Notice of Public Hearing
- 11.0 City Council Resolution
- 12.0 Opinion of Counsel

1.0 RATIONALE

The Harvard Avenue Area CARD contains Allston Brighton's largest commercial/retail area. This center has traditionally served as a viable resource for the residential neighborhoods that surround Harvard Avenue. Over the last ten years a negative trend of owner disinvestment and changing neighborhood character has allowed for an unhealthy mix of retail uses. These uses have responded to a large transient population and take the form of bars with live entertainment, fast food businesses, and student oriented specialty stores.

Presently, positive signs of increasing home ownership and a stabilizing residency have provided incentives for reinvestment in the area. This CARD Plan reflects those opportunities for the physical rehabilitation of the Harvard Avenue Area.

Interest in business expansion and new commercial development has been expressed in several key locations within the CARD boundaries.

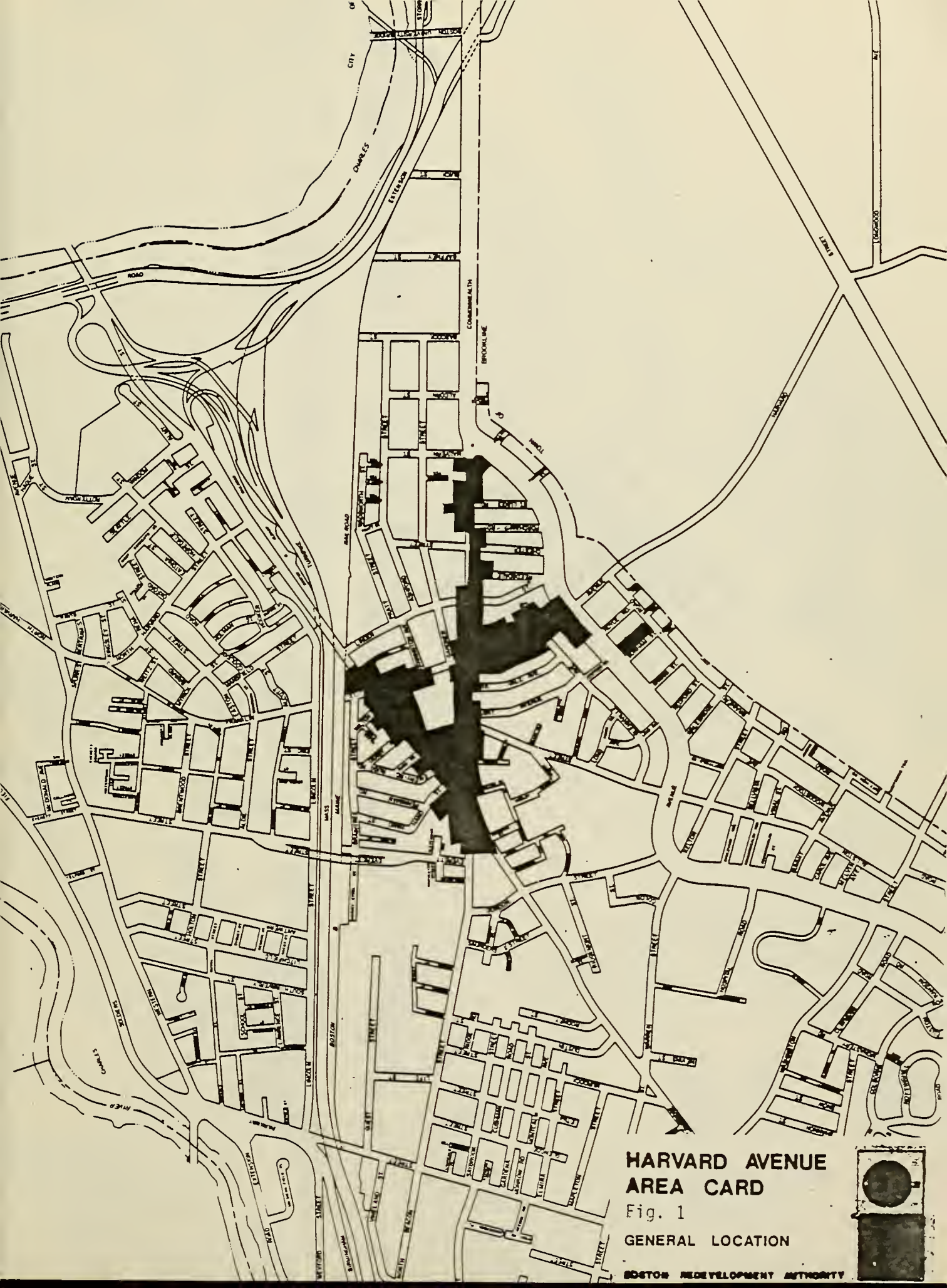
The availability of CARD-related development incentives will assist the developers of smaller residential, commercial, and office projects to obtain permanent financing at lower than market interest rates and provide a needed catalyst to aid in the revitalization of this important area of Allston Brighton.

The following information on building age, conditions and vacancy rates, was derived from survey data.

Table I

HARVARD AVENUE AREA CARD
Building Condition, Vacancy, Age

	<u># of Buildings</u>	<u>% of Total</u>
<u>Building Condition</u>		
Good	20	19
Fair	77	74
Poor	<u>7</u>	<u>7</u>
Total	104	100
<u>Vacancy</u>		
0- 10%	85	82
10-50	8	7
50-100	<u>11</u>	<u>11</u>
Total	104	100
<u>Age</u>		
Pre 1890	1	1
1890-1919	18	17
1920-1939	25	24
Post 1940	<u>60</u>	<u>58</u>
Total	104	100



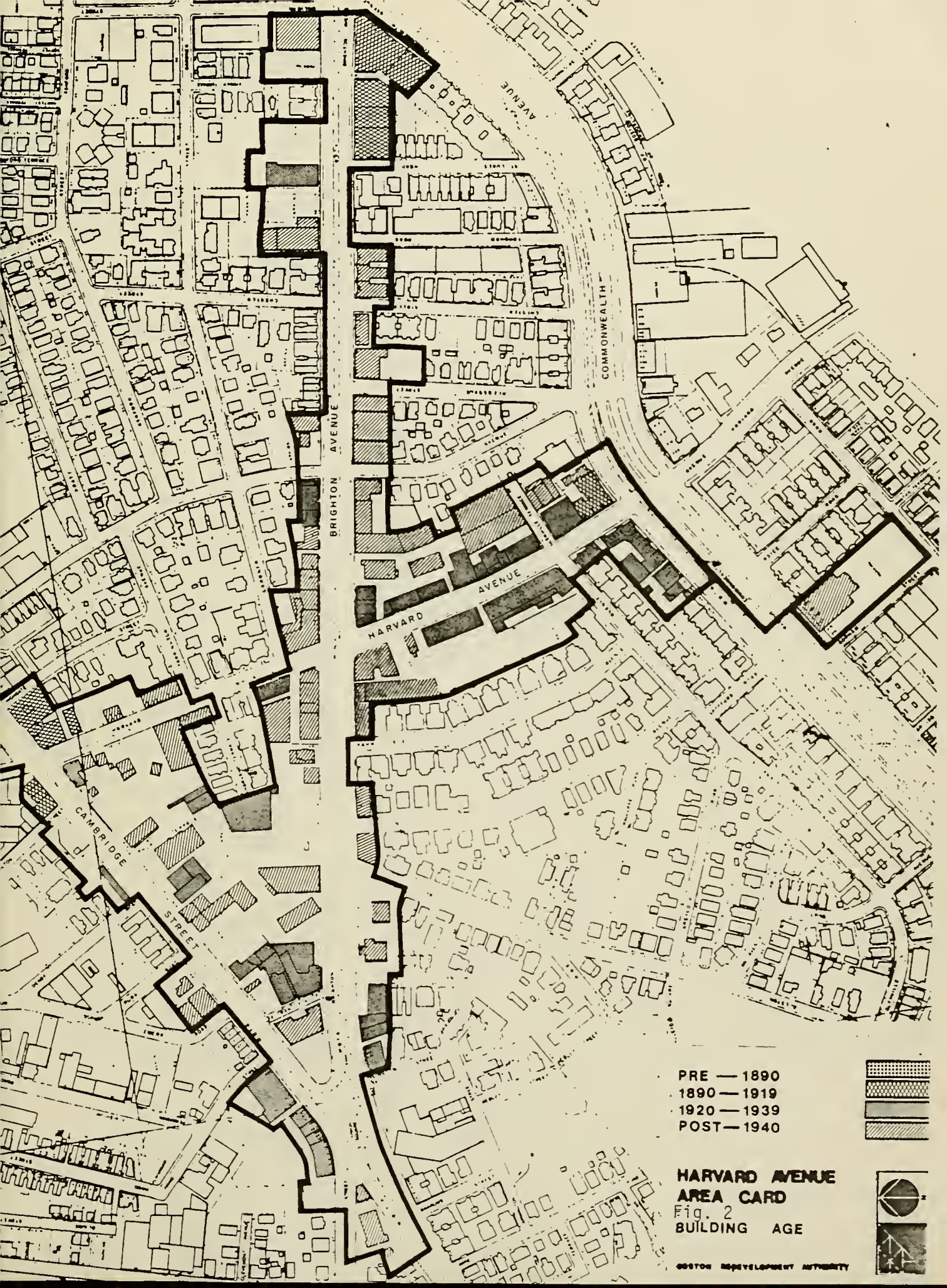
**HARVARD AVENUE
AREA CARD**

Fig. 1

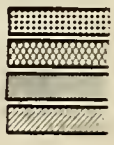
GENERAL LOCATION

BOSTON REDEVELOPMENT AUTHORITY



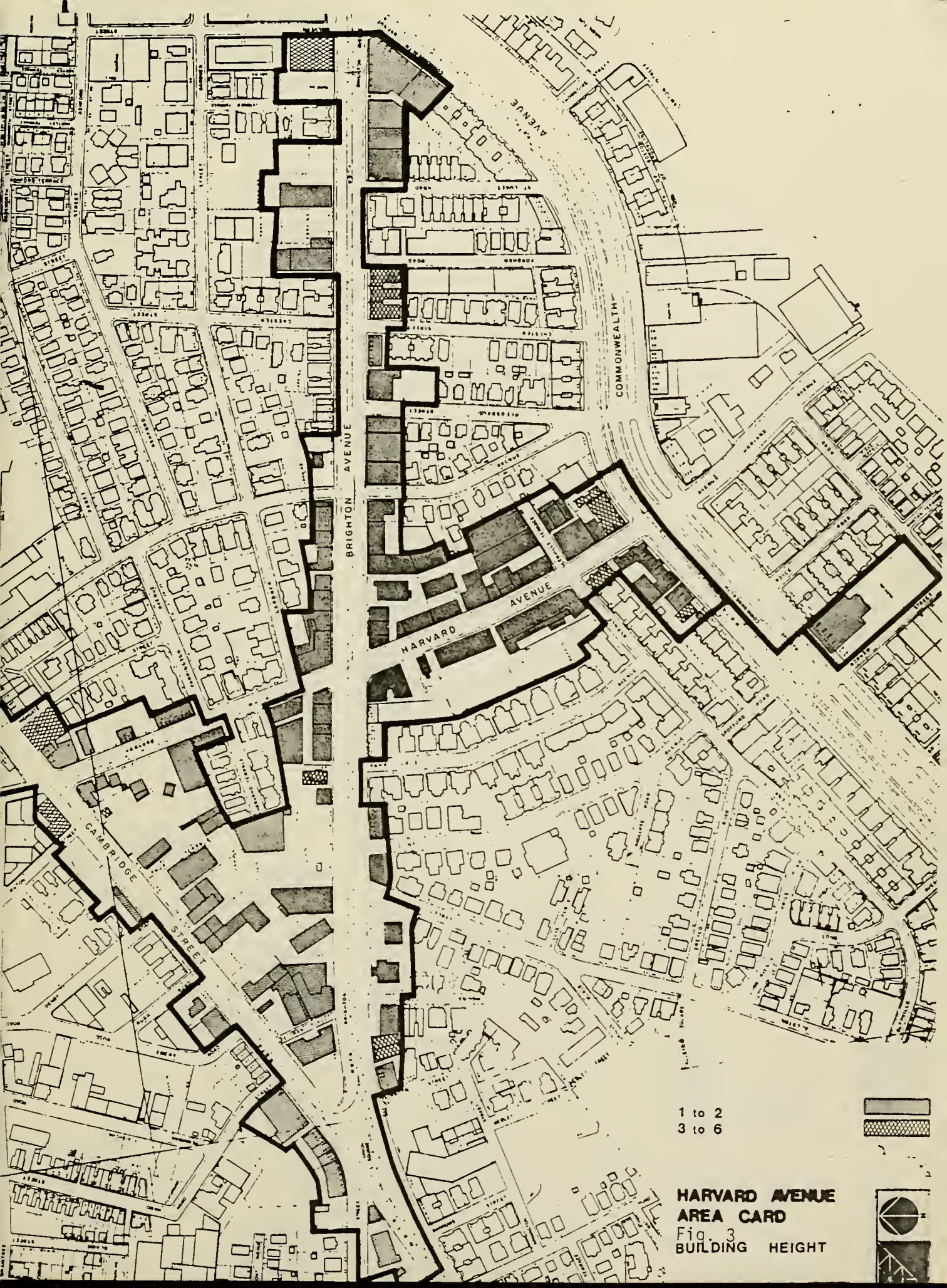


PRE — 1890
1890 — 1919
1920 — 1939
POST — 1940



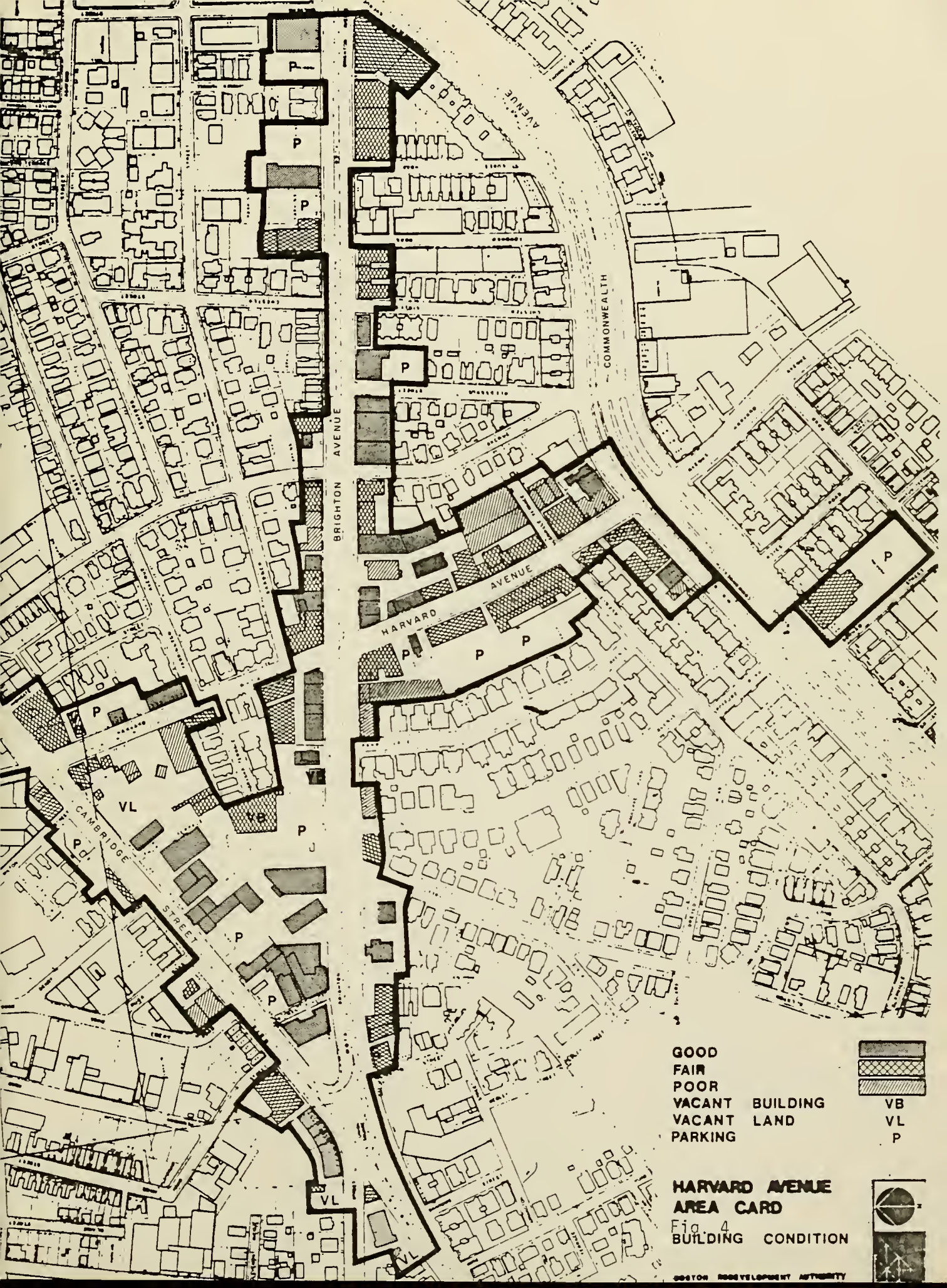
**HARVARD AVENUE
AREA CARD**
Fig. 2
BUILDING AGE



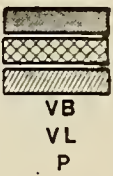


1 to 2
3 to 6

**HARVARD AVENUE
AREA CARD**
Fig. 3
BUILDING HEIGHT

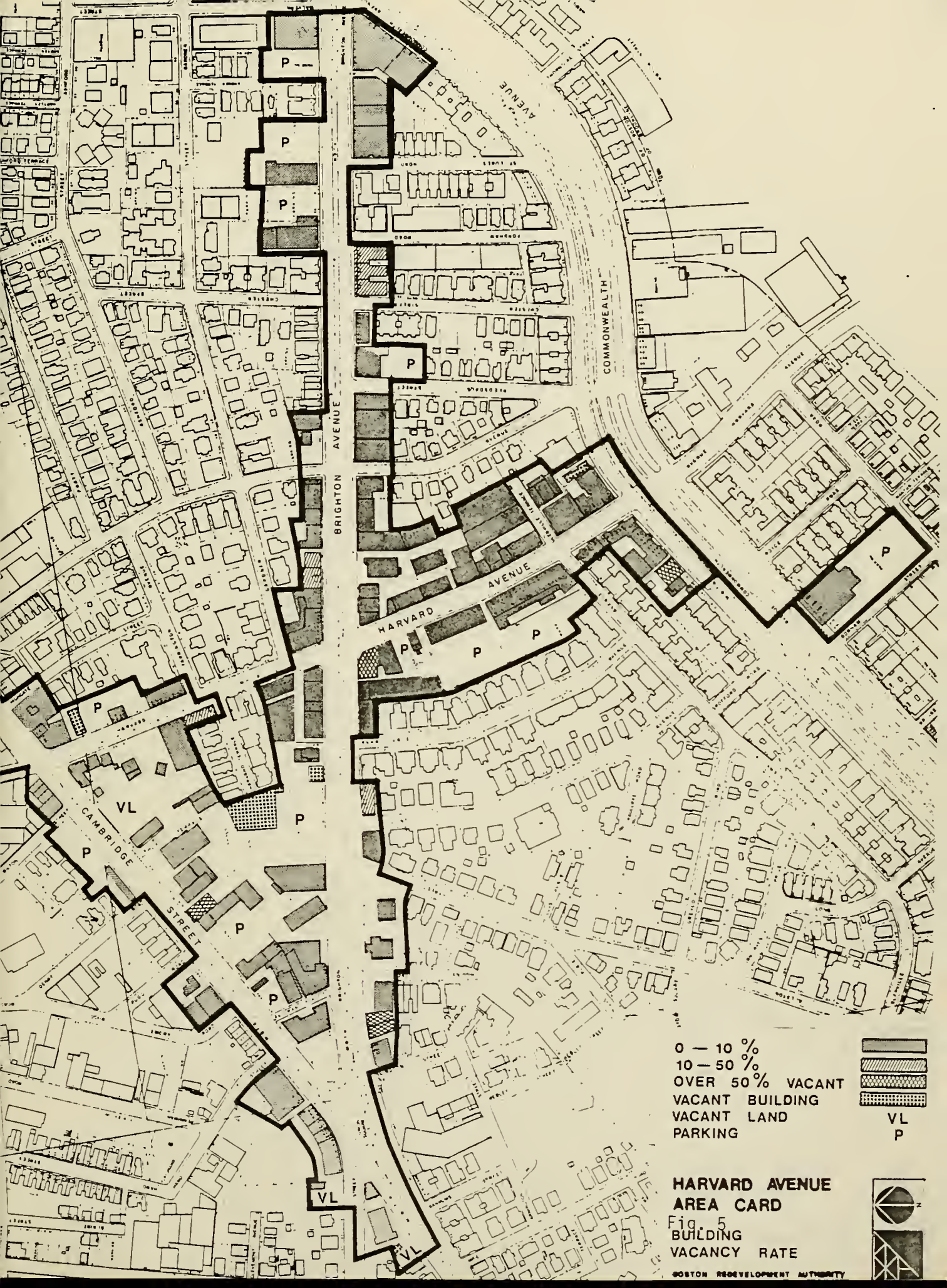


GOOD
FAIR
POOR
VACANT BUILDING
VACANT LAND
PARKING

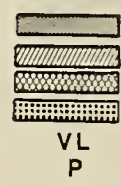


**HARVARD AVENUE
AREA CARD**
Fig. 4
BUILDING CONDITION





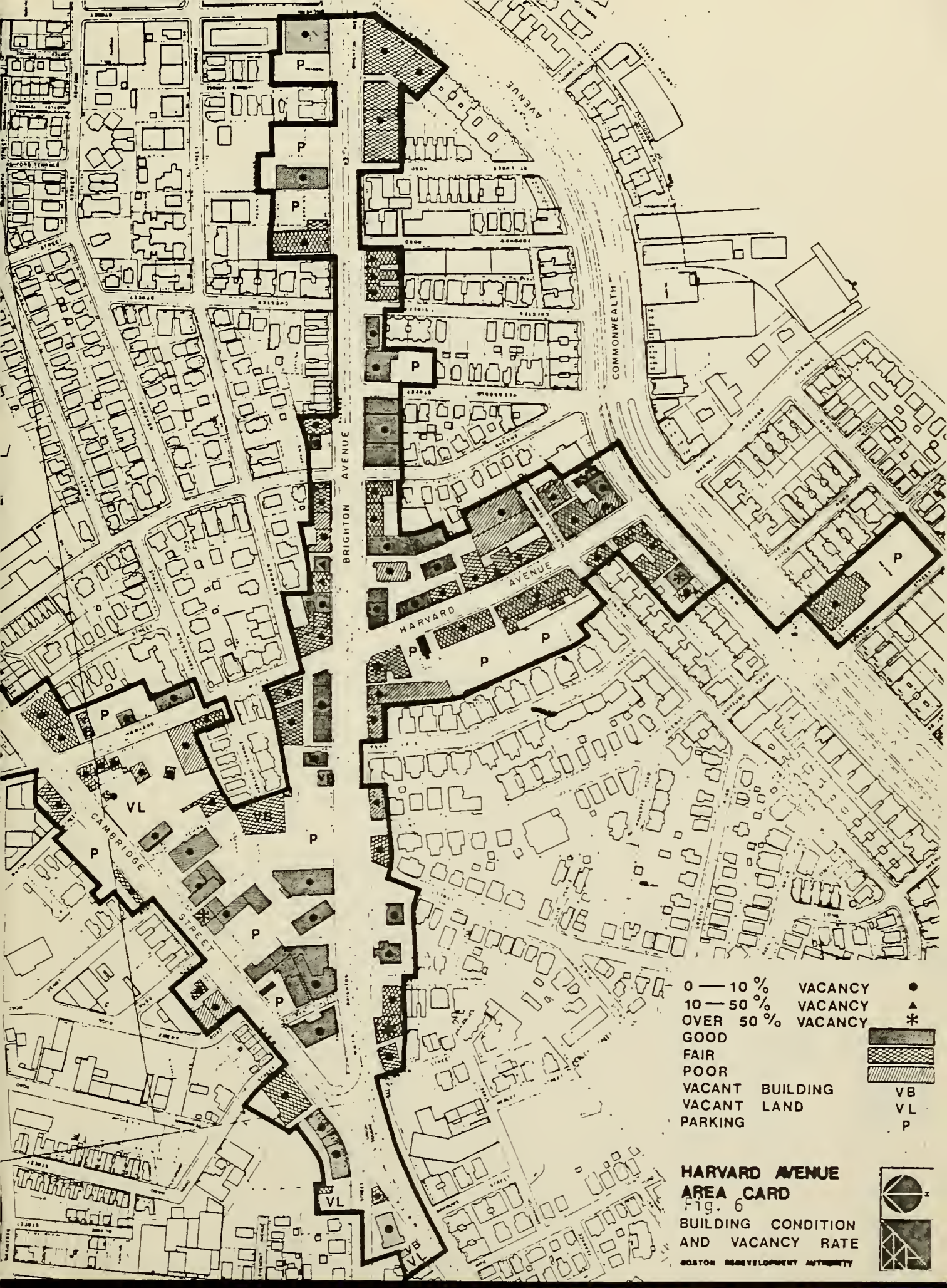
0 — 10 %
10 — 50 %
OVER 50 % VACANT
VACANT BUILDING
VACANT LAND
PARKING



HARVARD AVENUE
AREA CARD
Fig. 5
BUILDING
VACANCY RATE

BOSTON REDEVELOPMENT AUTHORITY





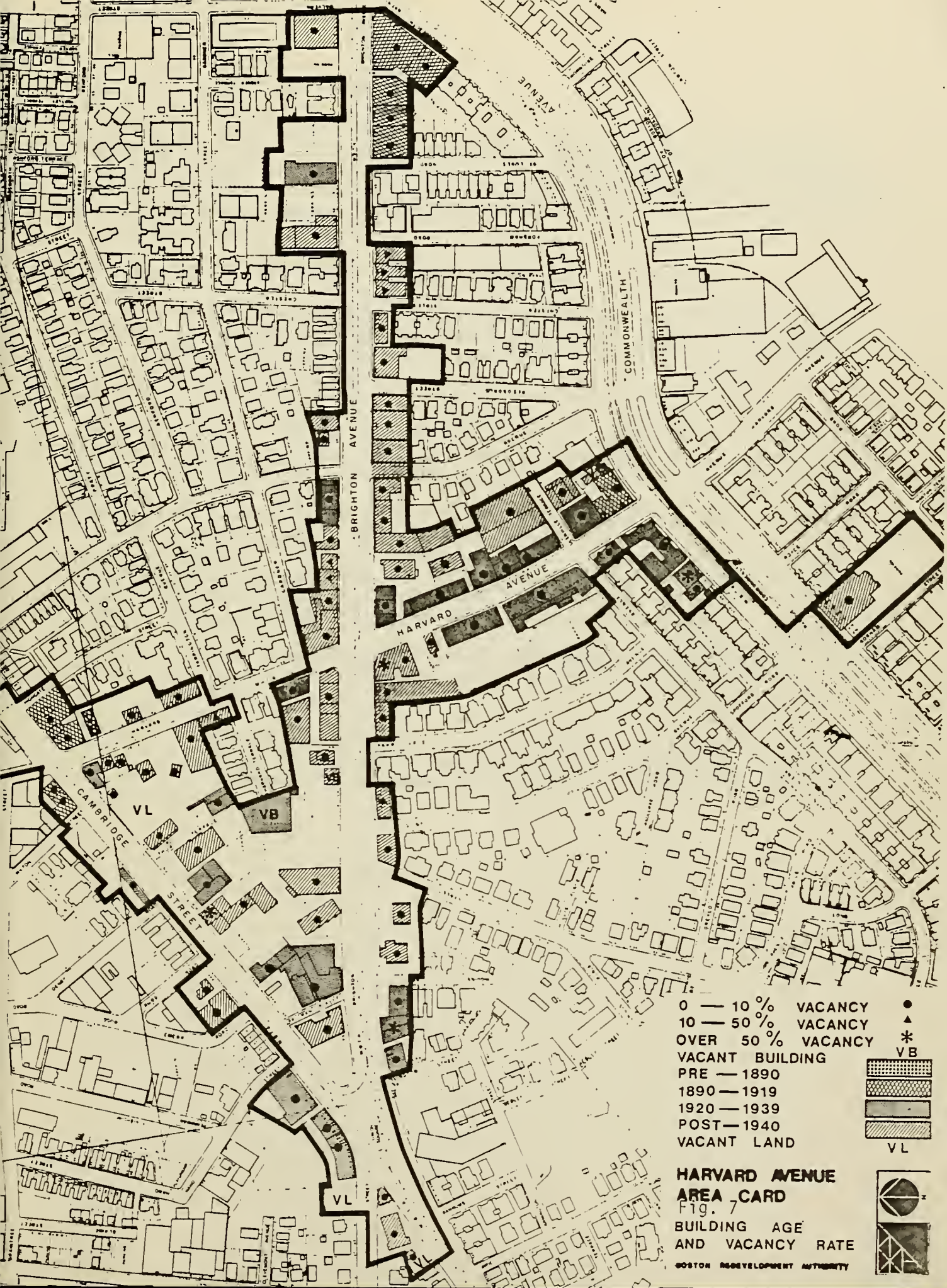
0 — 10 % VACANCY
 10 — 50 % VACANCY
 OVER 50 % VACANCY

GOOD
 FAIR
 POOR
 VACANT BUILDING
 VACANT LAND
 PARKING

●
 ▲
 *
 VB
 VL
 P

**HARVARD AVENUE
 AREA CARD**
 Fig. 6
 BUILDING CONDITION
 AND VACANCY RATE
 BOSTON REDEVELOPMENT AUTHORITY





- 0 — 10 % VACANCY ●
- 10 — 50 % VACANCY ▲
- OVER 50 % VACANCY *
- VACANT BUILDING VB
- PRE — 1890
- 1890 — 1919
- 1920 — 1939
- POST — 1940
- VACANT LAND VL

**HARVARD AVENUE
AREA CARD**
Fig. 7
BUILDING AGE
AND VACANCY RATE
BOSTON REDEVELOPMENT AUTHORITY



2.0 PLANNING OBJECTIVES

The planning objectives of the Harvard Avenue Area CARD are consistent with local public expenditures as reflected by the investment and success of the City's Housing Improvement Program and Restore Program. The objectives will also reinforce the local priorities of the areas civic and business associations in their attempt to stabilize and improve the commercial atmosphere within the CARD boundaries.

The goals of the Harvard Avenue Area CARD are the following:

1. To eliminate blighted conditions in the CARD that are characterized by the lack of viable commercial area, vacant land, and buildings in need of major repairs and renovations.
2. To provide a better mix of commercial businesses to address the needs of a growing stable residential neighborhood.
3. To foster a climate of cooperation between the City, the institutions, private developers and the community.
4. To promote development projects in the CARD that are aesthetically pleasing, as well as economically viable.
5. To bring new commercial development into this CARD that would otherwise not be there due to the present cost of financing a development project and to create new jobs for City residents.
6. To reinforce the stability of Allston/Brighton as a residential community relying on the "anchoring" impact of a revitalized central business district.
7. To provide the residents of Allston/Brighton with direct access to development plans and/or proposals that involve the sale, demolition and/or conversion of residential property for commercial purposes.

3.0 BOUNDARIES OF THE HARVARD AVENUE AREA CARD

The Harvard Avenue Area CARD generally encompasses the triangular area bordered by Harvard Avenue, Cambridge Street and Brighton Avenue excluding the residential, multi-family buildings on Harvard Terrace. In addition, the CARD extends down Brighton Avenue from Union Square to the intersection of Brighton Avenue and Commonwealth Avenue and includes most of the retail, office, and manufacturing uses on both sides of the street.

Along Harvard Avenue, the boundaries extend from the Allston Depot Restaurant to the north to the center line of Commonwealth Avenue to the south. The CARD includes the commercial properties immediately east and west of Harvard Avenue along Commonwealth Avenue and also includes the old First National Supermarket property across Commonwealth Avenue between Royce Road and Gorham Street.

These boundaries reflect the areas of greatest need and opportunity for reversing the negative trends of the Harvard Avenue Area and accomplishing the objectives of the CARD Plan. The boundary limits are also established to help focus revitalization efforts for maximum impact on the general community.

The boundaries of the Harvard Avenue Area CARD are as follows:

Beginning on Franklin Street, just north of Cambridge Street, proceeding westerly, parallel to and slightly north of Cambridge Street, to the northern border of Lot 3-9 North Beacon Street, excluding the properties located between Denby and Rugg Road and Hans Street and Emery Road;

thence proceeding northwesterly, parallel to and slightly north of North Beacon Street to the easterly border of Lot 19 North Beacon Street;

thence proceeding southwestly across North Beacon Street along the easterly border of Lot 515 Cambridge Street and continuing southeasterly along the westerly border of Lot 521 Cambridge Street to the center of Cambridge Street;

thence proceeding southeasterly along Cambridge Street to the center of Union Square (where North Beacon meets Brighton Avenue and Cambridge Street);

thence proceeding easterly along Brighton Avenue to Islington Street, thence continuing southerly to the rear of Lot 252 Brighton Avenue;

thence proceeding easterly, parallel to and slightly south of Brighton Avenue along the northern border of Lot 51 Park Vale Avenue, excluding the property located at Lot 178 Brighton Avenue;

thence proceeding southerly, parallel to and east of Park Vale Avenue to the western border of 15 Glenville Avenue, thence turning easterly on Glenville Avenue to the westerly border of Lot 2 Glenville Avenue;

thence proceeding southeasterly to the northerly border of Lot 191 Harvard Avenue;

thence turning southwestly to the easterly border of Lot 1251 Commonwealth Avenue;

thence proceeding southerly to the center of Commonwealth Avenue;

thence turning southwestly proceeding along Commonwealth Avenue to Lot 1264-1274 Commonwealth Avenue. Thence proceeding along the boundary lines of said lot and return to the center line of Commonwealth Avenue;

thence proceeding easterly along Commonwealth to the easterly border of Lot 1211 Commonwealth Avenue;

thence proceeding northerly parallel to and west of Linden Street to the southern border of Lot 118 Brighton Avenue, then easterly to Linden Street;

thence continuing easterly, south of and parallel to Brighton Avenue across Reedsdale Street, Chester Street, Fordham Road, and St. Lukes Road to the westerly boundary of Lot 1123 Commonwealth Avenue;

thence turning southeasterly continuing to the center line of Commonwealth Avenue;

thence turning northerly proceeding across Brighton Avenue and along the easterly border of Lot 1 Brighton Avenue;

thence turning westerly and continuing north of and parallel to Brighton Avenue proceeding to Lot 139 Brighton Avenue, excluding Lots 19-25 and Lots 37-77 Brighton Avenue;

thence proceeding north to Gardner Street westerly to Harvard Avenue and then northerly along Harvard Avenue to the southerly border of Lot 73 Harvard Avenue;

thence proceeding westerly parallel to and south of Harvard Terrace to the westerly border of Lot 16 Harvard Terrace;

thence proceeding northerly along the westerly boundary of Lot 17 Harvard Terrace and thence easterly parallel and north of Harvard Terrace to the west border of Lot 51-63 Harvard Avenue;

thence proceeding southerly to Harvard Terrace and then easterly to Harvard Avenue;

thence continuing northerly to Farrington Avenue and then easterly along Farrington Avenue approximately 100 feet, then northerly parallel to and east of Harvard Avenue to the southerly border of Lot 372 Cambridge Street;

thence proceeding easterly to Highgate Street and then northerly along Highgate Street, across Cambridge Street and along the northern boundary line of Lot 353 Cambridge Street to Franklin Street.

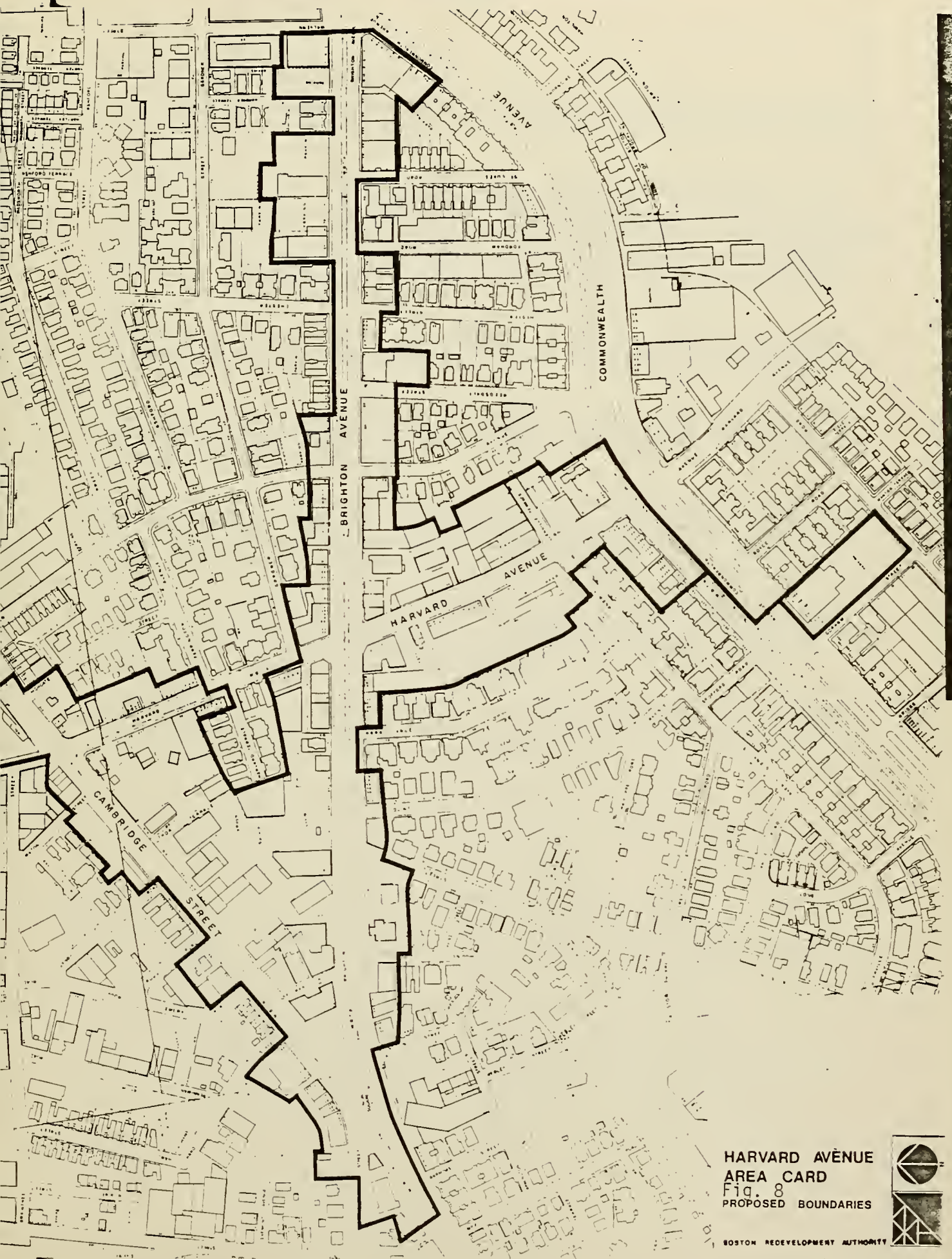


HARVARD AVENUE AREA CARD

GENERAL LOCATION

BOSTON REDEVELOPMENT AUTHORITY





HARVARD AVENUE
AREA CARD
Fig. 8
PROPOSED BOUNDARIES



3.1 General Physical Conditions

The general physical condition of the Harvard Avenue Business District has steadily declined under the strain of several specific physical developments and conditions.

The construction of the Mass. Turnpike divided Allston/Brighton and drastically changed the access to its major shopping area for the entire North Allston community. At the same time college and university growth increased adding a transient population and new commercial markets to the area. Harvard Avenue began to reflect this new market with new bars, fast food restaurants, and low cost clothing stores.

Increased vehicular traffic has caused severe congestion and shortages of parking for both the shopping area and the surrounding residential streets.

Structures along Harvard Avenue are in generally sound condition, although repeated facade and sign changes have resulted in an architecturally disoriented streetscape.

Conditions along Cambridge Street and Brighton Avenue are considerably more sporadic. Thriving businesses are found next to vacant lots, underutilized buildings and marginal commercial ventures. Presently, six major properties along these two streets are for sale or lease.

Parking within the CARD boundaries is presently both a major concern as well as poorly utilized resource. Turnover surveys of Harvard Avenue on-street parking and off-street parking indicate misuse of existing spaces by customers and merchants alike.

While most of the structures within the Harvard Avenue CARD were built within the first half of this century, the following list of buildings have special architectural or historical significance.

1. 10-14 Franklin Street - Allston Hall Block c. 1890
2. 16 Harvard Avenue - Allston fire station c. 1891 (scheduled for rehabilitation by city into branch library)
3. 51-63 Harvard Avenue - commercial building c. 1913
4. 149-175 Harvard Avenue - Allston public library, offices, commercial stores c. 1926
5. 190-194 Harvard Avenue - commercial uses c. 1916
6. 353 Cambridge Street - Allston Depot restaurant c. 1887
7. 373-391 Cambridge Street - Chester Block Building c. 1892

TURNOVER RATE IN HARVARD AVENUE AREA CARD

Street & Year	Occupied to Vacant		Vacant to Occupied		Change of Business		Total	
	#	%	#	%	#	%	#	%
prox. 115 places of business on Harvard Avenue								
from 1973 to 74/75	2	1.7%	4	3.4%	7	6.08%	13	11.3%
from 74/75 to 1976	5	4.3%	3	2.6%	14	12.17%	22	19.1%
from 1976 to 77/78	4	3.4%	6	5.2%	7	6.08%	17	14.8%
total from 1973-1978	11	9.5%	13	11.3%	28	24.3%	52	45.2%
prox. 45 places of business on Cambridge Street								
from 1973 to 74/75	3	6.6%	2	4.4%	-	-	5	11.1%
from 74/75 to 1976	1	2.2%	-	-	3	6.6%	4	8.9%
from 1976 to 77/78	4	8.9%	4	8.9%	-	-	8	17.7%
total from 1973-1978	8	17.7%	6	13.3%	3	6.6%	17	37.7%
prox. 38 places of business on Brighton Avenue								
from 1973 to 74/75	1	2.6%	-	-	2	5.2%	3	7.8%
from 74/75 to 1976	1	2.6%	3	7.9%	3	7.9%	7	18.4%
from 1976 to 77/78	1	2.6%	3	7.9%	7	18.4%	11	28.9%
total from 1973-1978	3	7.9%	6	15.8%	12	31.5%	21	55.2%
total proposed CARD Area prox. 218 places of business								
from 1973 to 74/75	6	2.75%	6	2.75%	9	4.1%	21	9.6%
from 74/75 to 1976	7	3.2%	6	2.75%	20	9.1%	33	15.1%
from 1976 to 77/78	9	4.1%	13	5.9%	14	6.4%	35	16.0%
total 1973 to 1978	22	10%	25	11.4%	43	19.7%	89	40.8%

Source: 1973, 1974-75, 1976, 1977-78 Polk Directories.

Notes

A total turnover rate includes figures from business places that were occupied; became vacant; places that were vacant; became occupied and places where the tenants changed.

In the proposed CARD area, the percentage of total turnovers has risen steadily since 1973. Harvard Ave. - the turnover rate peaked at 19.1% in 74-76 then fell to 14.3% in 76-78. Cambridge St. - turnover rate dropped in 74-76 but peaked in 76-78 at 17.7%. Brighton Ave. also had its peak turnover in 76-78 (28.9%). The total turnover rate, too, peaked in 76-78 at 16.0%. Brighton Ave. had the highest percent of turnovers (55.2%) in the total time period from 1973-1978. Cambridge St. was lowest during this period with 37.7%.

4.0 LAND USE AND ZONING

The existing ground floor land use within the CARD boundary is summarized in Table 2. The boundary encompasses approximately 1,736,000 square feet or nearly 40 acres. Of this total, approximately 474,000 square feet exist as roadways and alleys.

TABLE 2

The various land uses found in the Harvard Area CARD are as follows:

	<u>Sq. Ft.</u>	<u>% of Total</u>
Commercial	741,000	59
Residential	0	0
Parking	168,000	13
Manufacturing	196,000	18
Institutional	47,000	4
Vacant Buildings	36,000	3
Vacant Land	<u>74,000</u>	<u>6</u>
TOTAL:	1,262,000	100%

The land associated with the streets and alleyways in the CARD boundaries can be described as follows:

<u>Streets & Alleys</u>	<u>Sq. Ft.</u>	<u>% of Total</u>
Brighton Avenue (part of)	240,000	51
Cambridge Street (part of)	70,000	15
Commonwealth Avenue (part of)	32,000	7
Harvard Avenue (part of)	100,000	21
Alleyways	<u>32,000</u>	<u>7</u>
TOTAL:	474,000	100%

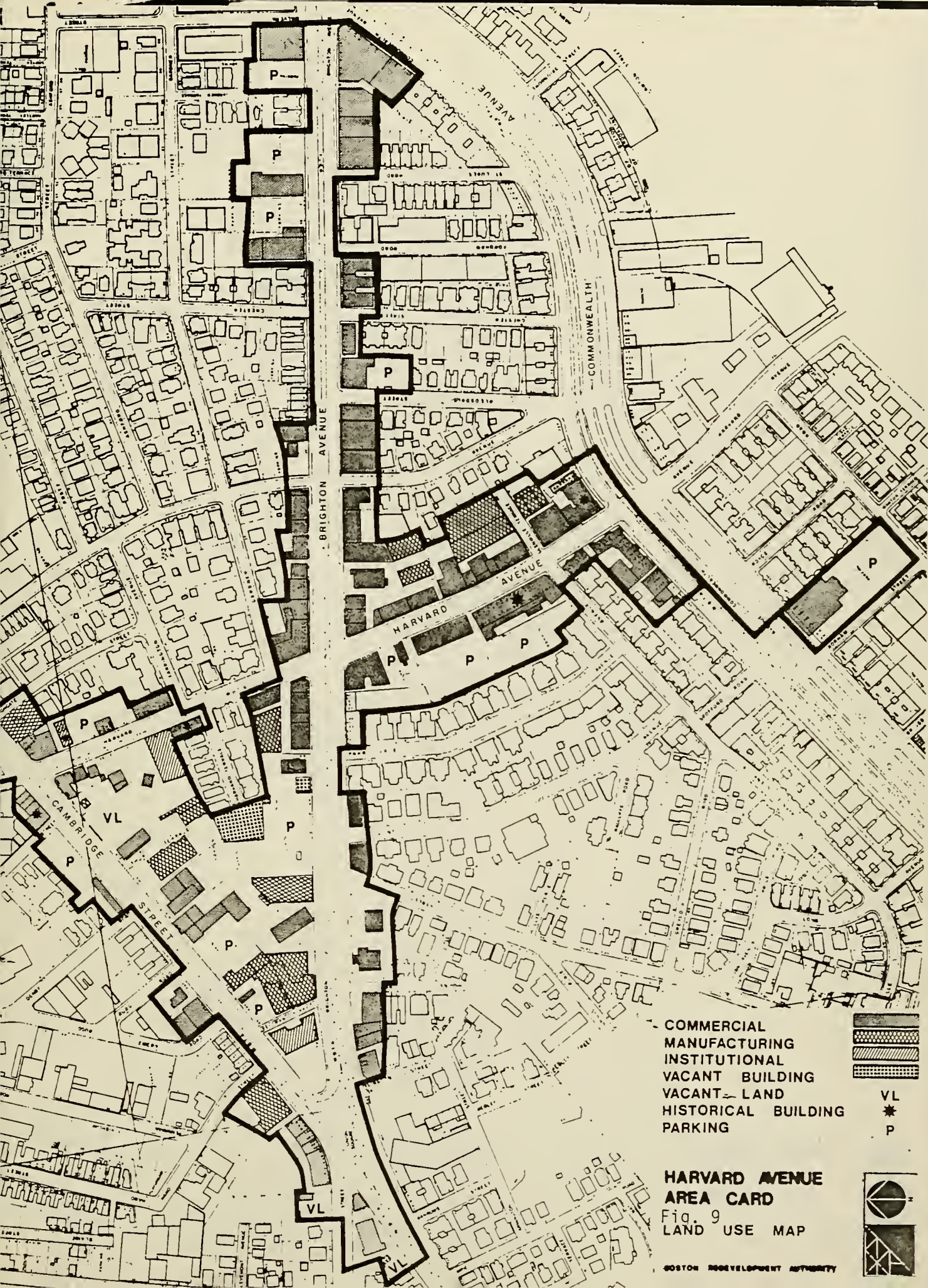
Figure 10 identifies the zoning districts within the CARD. The boundary consists primarily of a B-1 Zone with two areas under an L-1 designation.

The B-1 and L-1 designations are both general business uses with the L-1 being the more restrictive with an interpretation of local service stores and retail entities.

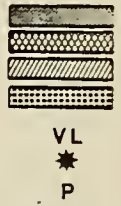
Most of the structures within the CARD boundary pre-date the zoning code and fall under the "grandfather clause." The uses, however, are generally within the intent of the code.

Changes in retail or commercial uses involving common victuals or liquor licenses are tightly monitored by local community groups as are changes thatacerbate the local parking problem or relate to outdoor signage and billboards.

The goals and objectives of the CARD plan will promote changes that are in general accord with the zoning code.



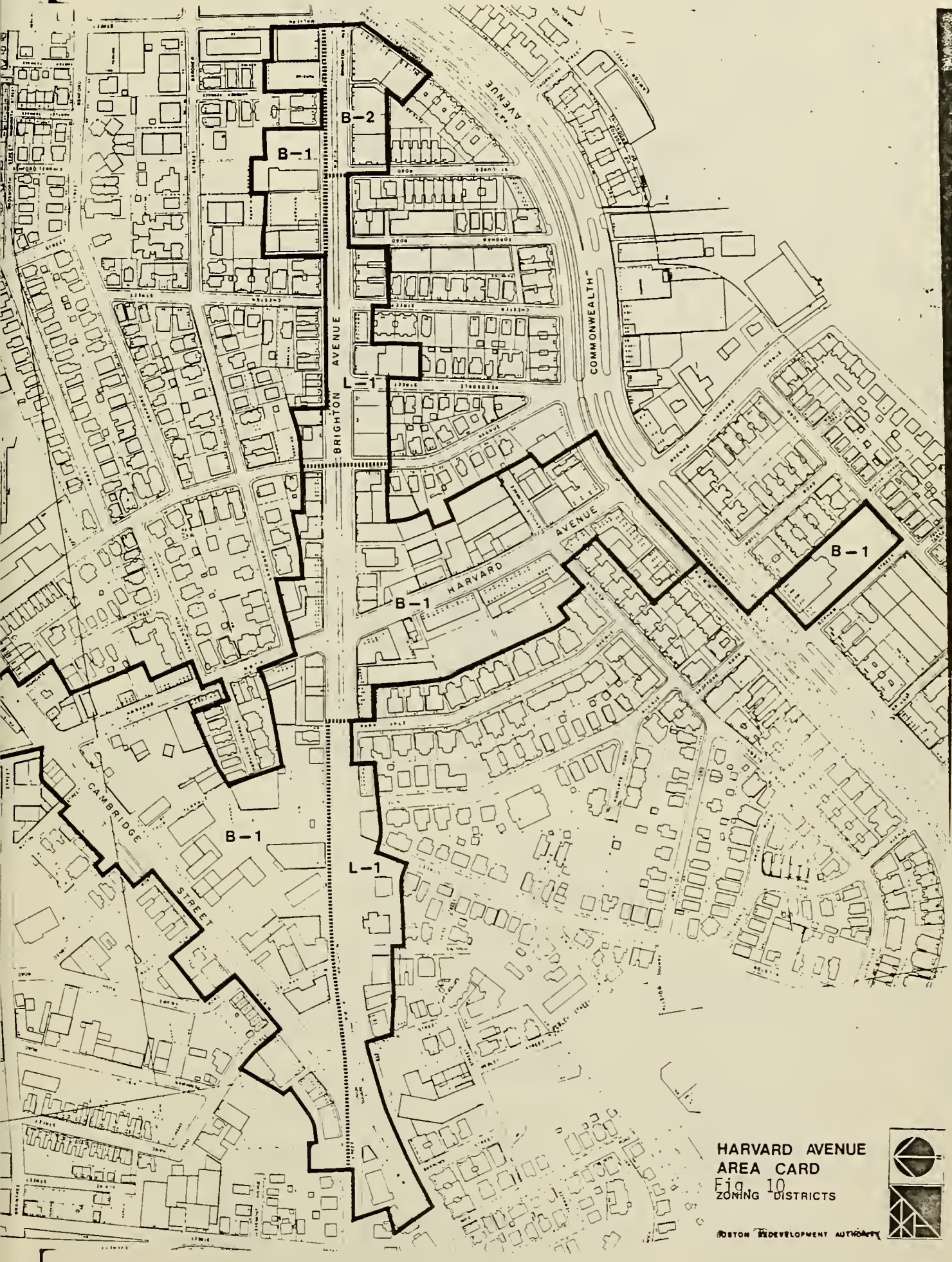
COMMERCIAL
MANUFACTURING
INSTITUTIONAL
VACANT BUILDING
VACANT LAND
HISTORICAL BUILDING
PARKING



**HARVARD AVENUE
AREA CARD**
Fig. 9
LAND USE MAP







HARVARD AVENUE
AREA CARD
Fig 10
ZONING DISTRICTS







ARTICLE 3

ESTABLISHMENT OF ZONING DISTRICTS

‡SECTION 3-1. Division of City into Districts. For the purposes of this code the City is hereby divided into districts as follows: three classes of residential districts; S (single family), R (general), and H (apartment); two classes of business districts: L (local) and B (general); and three classes of industrial districts: M (restricted manufacturing), I (general) and W (waterfront); each of which is further subdivided into subdistricts identified by a number which represents maximum allowed floor area ratio and some of which have a second number which represents a height limit, as follows: (‡As amended on July 9, 1973.)

‡(a) Residential Districts

S-.3	)	Single Family
S-.5	)	
R-.5	)	General
R-.8	)	
H-1-40	)	Apartment
H-1-50	)	
H-1	)	
H-2-65	)	
H-2	)	
H-3	)	
H-4	)	
H-5-70	)	
H-5	)	

(‡As amended on February 17, 1971. March 20, 1972, and February 28, 1979.)

‡ (b) Business Districts

L-.5	)	
L-1	)	Local
L-2-65	)	
L-2	)	
B-1	)	
B-2	)	
B-4-70	)	
B-4	)	General
B-8-120	)	
B-8	)	
B-10-155	)	
B-10	)	

(‡ As amended on February 17, 1971,
September 27, 1973, and October 22, 1974)

(c) Industrial Districts

M-1	)	
M-2	)	Restricted Manufacturing
M-4	)	
M-8	)	
I-2	)	General Industrial
W-2	)	Waterfront Industrial

‡The boundaries of these districts are hereby originally established as shown on a series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, on file in the office of the City Clerk, which maps, with all explanatory matter thereon, and all maps which, by amendment of this code, may be substituted therefore or made supplemental thereto shall be deemed to be, and are hereby made, a part of this code.

(‡As amended on May 26, 1972)

‡SECTION 3-1A. Special Purpose Overlay Districts. A subdistrict or part thereof or a contiguous group of subdistricts or parts thereof may be designated as a special purpose overlay district as follows: (a) planned development area (distinguished by the addition of the letter "D" to the designation of the subdistrict or subdistricts); (b) urban renewal area (distinguished by the addition of the letter "U" to the designation of the subdistrict or subdistricts); (c) adult entertainment district (distinguished by the addition of the letter "E" to the designation of the subdistrict or subdistricts); (d) restricted parking district; (e) flood hazard district or (f) institutional district. In an overlay district the regulations specified for the base subdistrict or subdistricts shall apply, insofar as they are not in conflict with special regulations specified for a particular overlay district.

‡Planned Development Areas. The whole or any part of a subdistrict may be established as a planned development area if such area contains not less than one acre and the commission has received from the Boston Redevelopment Authority a development plan, approved by said Authority after a public

‡This Section, inserted March 24, 1977, incorporates districts formerly described in Section 3-1. The first paragraph was subsequently amended on June 8, 1977.

hearing, for the development of the planned development area, singly or in connection with other planned development areas, provided, however, that no development plan shall be approved by said Authority unless said Authority finds that such plan conforms to the general plan for the City as a whole and that nothing in such plan will be injurious to the neighborhood or otherwise detrimental to the public welfare. Such development plan shall set forth the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the area, densities, proposed traffic circulation, parking and loading facilities, access to public transportation, proposed dimensions of structures, and may include proposed building elevations, schematic layout drawings and exterior building materials, and such other matters as said Authority deems appropriate to its consideration of the proposed development of the area. To insure that no work proceeds other than in accordance with the development plan, no structure shall be erected, reconstructed, or structurally changed or extended in a planned development area unless all drawings and specifications therefor shall have been subjected to design review and approved by said Authority. The Building Commissioner shall not issue any building or use permit with respect to any building, structure, or land within a planned development area unless said Authority has

certified on the application therefor and on each and every plan filed with the Building Commissioner in connection therewith that the same is consistent with the development plan for such planned development area. Except as otherwise provided in Article 6A, planned development areas shall be subject to all the provisions of this code applicable to the subdistrict in which the area is located.

(‡As inserted on July 2, 1968)

‡Urban Renewal Areas. Upon application from the Boston Redevelopment Authority, the whole or any part of a subdistrict may be established as an urban renewal area if all land within such urban renewal area is the site of or for a low rent housing project, or a housing project for elderly persons of low income, or consists solely of land, including land under water, with respect to which an agreement has been entered into with said Authority establishing use and dimensional controls as specified in a land assembly and redevelopment, or urban renewal plan, as defined in Chapter 121 of the General Laws. Section 13-1 (except the maximum floor area ratio specified in Table B thereof), Section 13-2 and 13-4, and Articles 14, 16, 17, 18, 19, 20, 21, and 22 shall not apply to urban renewal areas; but except as otherwise provided in Article 6A, urban renewal areas shall be subject to all other provisions of this code applicable to the subdistrict in which the area is located.

(‡As inserted on September 7, 1967, and amended on July 2, 1968)

‡Restricted Parking District. A contiguous group of subdistricts or parts thereof may be established as a restricted parking district. Within a restricted parking district, off-street parking facilities including parking lots, parking garages, and parking accessory or ancillary to any use other than Use Items numbered 1 through 15 shall be conditional uses, which may be granted only in conformance with the provisions of Section 6-3A as well as Section 6-3.

(‡As inserted on September 27, 1973)

‡Adult Entertainment District. An adult entertainment district is an overlay district in which Use Items No. 34A and 38A (adult books and adult entertainment) are allowed, and in which the prohibition of moving or flashing signs in Section 11-2 does not apply.

(‡As inserted on November 27, 1974)

‡Flood Hazard Districts. The location of and regulations for flood hazard districts are set forth in Article 25 of this code.

(‡As inserted on March 24, 1977)

‡Institutional District. Notwithstanding the provisions of Table A of Section 8-7, in an institutional district the following uses are conditional uses in instances where they would otherwise be allowed under said Table A: any use listed under Use Item No. 16, 17, 20, 22A, 28, 29, or 30. Use Item No. 72, accessory parking, shall be a conditional use if the main use to which it is accessory is in existence at the time that new or additional parking spaces are applied for and if such main use is a use listed under Use Item No. 11, 12, 13, 13A, 14, 16, 16A, 17, 18, 19, 20, 22A, 28, 29, or 30.

(‡As inserted on June 8, 1977)

SECTION 3-2. Interpretation of District Boundaries. Where a district boundary is indicated on a map constituting part of this code as approximately following, or parallel to, the center line or side line of a street, highway, railroad right-of-way, or water course, such boundary shall be construed as following, or as being parallel to, such center line or side line. Where a district boundary is indicated on such a map as approximately following a lot line, such lines shall be construed to be said boundary. If no distance is indicated on such a map for a district boundary running parallel to the center line or side line of a street or highway, such dimension shall be assumed to be one hundred feet from such line or, if as determined by the use of the scale shown on such map it is at least twenty feet more, or twenty feet less, than one hundred feet, it shall be as so scaled.

5.0 PLAN STRATEGY

5.1 Public Improvement and Local Financial Commitment

The City of Boston has made substantial capital investments in and around the Harvard Avenue CARD. The largest concentration of investment has been in Union Square, where a new fire station and the Jackson Mann Community School were built in 1976 at a cost of \$14,000,000.

Under the federally funded Urban Systems Program, a section of Commonwealth Avenue included in the Harvard Avenue CARD will be totally reconstructed in order to realign the MBTA tracks to the center of the street. As part of the reconstruction, pedestrian safety and amenities, more sufficient vehicular routing, and substantial landscaping will be emphasized. The total project cost will be approximately 8 million dollars and construction is scheduled for the Spring of 1981.

Through the Community Development Block Grant Program, a substantial amount of money has been spent to upgrade nearby residential housing through the Housing Improvement Program. Approximately 47 different households in the area have received HIP grants. Roughly \$127,341 of CDBG funds have been spent, leveraging \$380,000 of home improvements by individual homeowners.

The Harvard Avenue Business District has also been the recent beneficiary of the CDBG funded ReStore program. Fourteen thousand (\$14,000) dollars was allocated in 1979, to be spent on 20% rebates for selected storefront improvements. It is expected that this program will play a substantial role in the revitalization of the Harvard Avenue business district.

A commitment of \$600,000 has been made by the City to rehabilitate the Harvard Avenue Fire Station into the Allston Branch Boston Public Library. This renovation will help reinforce the surrounding residential neighborhood while preserving one of Allston's historical public buildings.

Additional public improvements in the area are the proposed redesign of intersections at Harvard Avenue and Brighton Avenue and Harvard Avenue and Cambridge Street. These proposed changes will include neckdowns, improved signalization, and reinforced crosswalks.

Efforts are also underway to work with local businessmen for increased and better utilization of public parking lots located off of Harvard Avenue.

5.2 Use of Development Incentives Available Within CARD Area

The Harvard Avenue Area CARD encompasses a district that has immediate prospects for significant new development and rehabilitation projects as well as potential demand for future developments. The following are examples of current development projects and opportunities.

1. The vacant Chrysler Plymouth lot and showroom on Brighton Avenue has recently been leased to a National restaurant chain with the intention of constructing a new restaurant on the site, as well as rehabilitating the existing structures and parking lot into a mini-mall.
2. The Boston Food Cooperative is negotiating with the owner of the property which they currently lease. Once purchased, this project would involve major renovations and the establishment of spin-off business opportunities.
3. The Washington Allston school site located on Cambridge Street contains approximately 22,000 square feet of vacant land. This property has had prior development interest for commercial businesses and will be benefited significantly by CARD incentives.
4. Many of the properties along Harvard Avenue are older structures in need of rehabilitation to be brought up to present market standards and correct system deficiencies. As market conditions improve these structures will be most appropriate for CARD incentives.



5.3 General Character of Development

The Harvard Avenue Area CARD will generally involve three aspects of area revitalization. New development opportunities exist on sizeable lots at 177-193 Brighton Avenue (approximately 70,000 square feet) and at 404 Cambridge Street (approximately 22,000 square feet). Both sites have had developer interest and would benefit from additional incentives to optimize a highest use potential.

The second and most prominent effort will be revitalization and rehabilitation of existing businesses and structures.

In January 1981 there were approximately ten buildings or storefronts for rent or sale within the CARD. These addresses along with the several marginal and underutilized commercial properties will gain new potential under the CARD. It is estimated that the properties presently considered underutilized, marginal, or for sale or rent total approximately 113,000 square feet.

In rough percentages, discounting the area of public roadways, approximately 9% of the CARD's area has a present potential for new construction and approximately 13% for substantial rehabilitation.

The third aspect of the area revitalization will be the use of public funds to provide or leverage significant improvements within the district. These investments will focus on improved parking facilities, more efficient traffic control and signalization, and the possibility of new sidewalks redesigned with neckdowns and pedestrian amenities. The continuation and expansion of the Restore program will also play an important role.



5.4 Land Use and Design Controls

While neither the CARD designation nor the Boston Zoning Code fully guarantee the outcome of future land use decisions, both are explicitly intended to:

- promote harmonious commercial uses within the CARD that conform to the general intent of the City's zoning Map (zoning Map 7 -Brighton).
- promote commercial development and revitalization without threatening existing residential properties within the CARD boundary.

In addition to the design control exercised through the zoning Board of Appeal and the Boston Sign Code, a Design Review Process will be established to include local merchants, residents and the City.

In the event that property owners using the CARD program request and receive a Chapter 121A tax agreement, the BRA automatically has design review prerogatives. When the property owner seeks relief from provision of the Zoning Code through the Zoning Board of Appeal, the variances are sometimes granted with a BRA design review proviso attached.

Should a developer wish to propose a project involving a site of one acre or more that will require exceptions to the Boston Zoning Code, the Code provides for the creation of a Planned Development Area.

In order to establish a PDA, a complete development plan for the site must be prepared and submitted to the BRA for approval after a public hearing. The approved plan must then be submitted to the Boston Zoning Commission for its approval after a second public hearing before the BZC.

After the BRA and Boston Zoning Commission have approved the development plan for the PDA, any exceptions to the existing zoning code that are part of the plan must also be approved by the Zoning Board of Appeals after a third public hearing before this Board.

The BRA also requires that any developer in a CARD receive written certification from the Director of the BRA that the project proposed for the developer is:

1. located within the boundaries of the appropriate CARD, and
2. meets the objectives of the appropriate CARD plan.

In order to secure this certification, the developer must submit architectural and financial information to the Director of the BRA for design review and approval. The nature and type of project-related information to be submitted for proposed development projects is outlined in Section 8.0 of this Plan.



6.0 CONFORMANCE WITH OTHER LOCAL PLANS

The Harvard Avenue Area CARD is consistent with the Allston/Brighton District Profile and Proposed 1979-81 Neighborhood Improvement Program as developed and published by the Neighborhood Planning Program of the Boston Redevelopment Authority.

In the Allston/Brighton neighborhood, one other CARD will be proposed (Western Avenue). Each of the commercial areas have separate and distinct problems, objectives and markets and each requires a CARD for different reasons. The Designation of a CARD in the Harvard Avenue Area and subsequent usage of CARD benefits will not adversely affect the Western Avenue business district.

7.0 BUSINESS COMMUNITY AND CITIZEN PARTICIPATION PROVISION

7.1 Business Community and Citizen Participation in the Development of the Harvard Avenue Area CARD Plan

Subsequent to the preparation of this CARD application in draft and prior to its submission to the BRA Board, a meeting with local businessmen and a neighborhood meeting were convened by the BRA Neighborhood Planner for Allston/Brighton for the purpose of receiving neighborhood input and making any modifications proposed and generally supported by the residential and business community.

7.2 Business Community and Citizen Participation in the Implementation of the Harvard Avenue Area Plan

In order to be eligible for any present or future development incentives that would not otherwise be available, except in a Commercial Area Revitalization District, any developer of a proposed project in the Harvard Avenue Area CARD must secure certification from the Director of the Boston Redevelopment Authority that the proposed project is:

- (1) located within the boundaries of the Harvard Avenue Area CARD, and
- (2) meets the objectives of the Harvard Avenue Area CARD Plan.

Before granting the above certification, the BRA requires the submission of certain project related information for review and approval. The nature and type of this required project-related information is outlined in Section 8.0 of the Harvard Avenue Area CARD Plan.

As part of the review process, civic leaders and businessmen from the Allston/Brighton area will be asked for comment on projects seeking CARD-related development incentives.

The citizen participation provisions that are part of the BRA project approval process may also be extended beyond the BRA certification stage depending on the CARD development incentives sought by the developer of a given project.

Any tax exempt revenue bond financing proposal for a project in the Harvard Avenue Area CARD must be approved by the Boston Industrial Financing Authority at a scheduled public meeting of IDFA.

The public purpose of such bond issues must also be approved by the Boston City Council. This approval process includes a public hearing before the Neighborhood Development Committee and a vote of full City Council at a regularly scheduled Council meeting that is open to the public.

Any application for mortgage insurance through the Massachusetts Industrial Finance Agency must be approved at a regularly scheduled meeting of MIFA.



8.0 PROJECT CERTIFICATION AND SUBMISSION REQUIREMENTS

In order to be eligible for any present or future development incentives that would not otherwise be available except in the HAA Commercial Area Revitalization District, any developer of a proposed project in the H.A.A. CARD must secure written certification from the Director of the Boston Redevelopment Authority that the proposed project:

- (1) is located within the boundaries of the approved H.A.A. CARD and
- (2) that the proposed development project is in conformance with the objectives of the approved H.A.A. CARD Plan.

In order to ensure that a proposed development project in the H.A.A. meets the above project certification criteria, the developer of the project shall submit the following materials to the Director of the BRA for design review and project certification:

- (1) Site plans showing the Project Area and the approximate location of structures and facilities to be constructed.
- (2) Drawings showing the buildings and other improvements to be constructed in a form adequate to show the nature and extent of the project, including elevations, floor plans, and elevations of the surrounding area.
- (3) Outline Specifications showing generally the character and quality of the construction to be employed.
- (4) A statement of all permissions which will be required for the project to deviate from zoning, building, health and fire laws, codes, ordinances and regulations in effect in Boston.
 - (a) A statement of the deviations required from the State Building Code to include the anticipated date said deviations will be approved.
 - (b) If deviations are required from the Boston Zoning Code, the request shall have a comparison of what the Code requires and what the Project will provide.
- (5) A pro forma financial statement showing the developer's ability to carry out the proposed project.



9.0 DESCRIPTION OF THE IMPLEMENTING AGENCY

The implementing of agency for the Harvard Avenue Area CARD is the Boston Redevelopment Authority.

The BRA has been both the planning and urban renewal agency for the City of Boston since 1960.

The BRA was established in August 1957 at the request of the Mayor and City Council and carries out urban renewal programs in accordance with Chapter 121B of the Massachusetts General Laws. It received its certificate of organization from the Secretary of the Commonwealth on October 4, 1957.

The planning function was assumed in 1960 when the City Planning Board was abolished and its staff transferred to the BRA, under Chapter 652 of the Acts of 1960 (M.G.L. Ch. 121A).

The BRA is also the designated City agency responsible for the review and approval of all 121A applications within the City of Boston. Chapter 652 of the Acts of 1960 gives the BRA the power to approve applications for the formation of non-profit, limited dividend or cooperative entities under Chapter 121A, Section 13 of the Massachusetts General Laws for the purpose of redevelopment within the City.

In addition, the Authority reviews and makes recommendations on all cases before the Boston Zoning Board of Appeal and must review and approve all development plans for Planned Development Area under the Boston Zoning Code.

In order to carry out these various functions, the Authority maintains a permanent staff in several departments and disciplines that are directly related to the review and implementation of the H.A.A. CARD.

These departments and disciplines include urban design, landscape, architecture, comprehensive planning, neighborhood planning, environmental review, preservation planning, legal, engineering, real estate and research.



10.0 NOTICE OF PUBLIC HEARING

The Planning and Development Committee of the Boston City Council will hold a public hearing on Tuesday, May 12, 1981 at 9:00AM in the Council Chamber to discuss the creation of a Harvard Avenue Commercial Area Revitalization District (CARD).

The proposed Harvard Avenue Area CARD encompasses that portion of Allston-Brighton beginning on Franklin Street, just north of Cambridge Street, proceeding westerly, parallel to and slightly north of Cambridge Street, to the northern border of Lot 3-9 North Beacon Street, excluding the properties located between Denby and Rugg Road and Hans Street and Emery Road; thence proceeding northwesterly, parallel to and slightly north of North Beacon Street to the easterly border of Lot 19 North Beacon Street; thence proceeding southwestly across North Beacon Street along the easterly border of Lot 515 Cambridge Street and continuing southeasterly along the westerly border of Lot 521 Cambridge Street to the center of Cambridge Street; thence proceeding southeasterly along Cambridge Street to the center of Union Square (where North Beacon meets Brighton Avenue and Cambridge Street); thence proceeding easterly along Brighton Avenue to Islington Street, thence continuing southerly to the rear of Lot 252 Brighton Avenue; thence proceeding easterly, parallel to and slightly south of Brighton Avenue along the northern border of Lot 51 Park Vale Avenue, excluding the property located at Lot 178 Brighton Avenue; thence proceeding southerly, parallel to and east of Park Vale Avenue to the western border of 15 Glenville Avenue, thence turning easterly on Glenville Avenue to the westerly border of Lot 2 Glenville Avenue; thence proceeding southeasterly to the northerly border of Lot 191 Harvard Avenue; thence turning southwestly to the easterly border of Lot 1251 Commonwealth Avenue; thence proceeding southerly to the center of Commonwealth Avenue; thence turning southwestly proceeding along Commonwealth Avenue to Lot 1264-1274 Commonwealth Avenue. Thence proceeding along the boundary lines of said lot and return to the center line of Commonwealth Avenue; thence proceeding easterly along Commonwealth to the easterly border of Lot 1211 Commonwealth Avenue; thence proceeding northerly parallel to and west of Linden Street to the southern border of Lot 118 Brighton Avenue, then easterly to Linden Street; thence continuing easterly, south of and parallel to Brighton Avenue across Reedsdale Street, Chester Street, Fordham Road, and St. Lukes Road to the westerly boundary of Lot 1123 Commonwealth Avenue; thence turning southeasterly continuing to the center line of Commonwealth Avenue; thence turning northerly proceeding across Brighton Avenue and along the easterly border of Lot 1 Brighton Avenue; thence turning westerly and continuing north of and parallel to Brighton Avenue proceeding to Lot 139 Brighton Avenue, excluding Lots 19-25 and Lots 37-77 Brighton Avenue; thence proceeding north to Gardner Street westerly to Harvard Avenue and then northerly along Harvard Avenue to the southerly border of Lot 73 Harvard Avenue; thence proceeding westerly parallel to and south of Harvard Terrace to the westerly border of Lot 16 Harvard Terrace; thence proceeding northerly along the westerly boundary of Lot 17 Harvard Terrace and thence easterly parallel and north of Harvard Terrace to the west border of Lot 51-63 Harvard Avenue; thence proceeding southerly to Harvard Terrace and then easterly to Harvard Avenue; thence continuing northerly to Farrington Avenue and then easterly along Farrington Avenue approximately 100 feet, then northerly parallel to and east of Harvard Avenue to the southerly border of Lot 372 Cambridge Street; thence proceeding



easterly to Highgate Street and then northerly along Highgate Street, across Cambridge Street and along the northern boundary line of Lot 353 Cambridge Street to Franklin Street.

Section 12 of Chapter 40D of the General Laws as amended (by Sections 1 and 10 of St. 1978 Chapter 495) authorized the use of tax-exempt industrial revenue bond financing for "commercial enterprises" provided that any such enterprise is located in a district for which a Commercial Area Revitalization has been approved both by the City and by the Secretary of Communities and Development. A similar amendment to Chapter 23B makes approval of such a plan by the Secretary a pre-condition for the use of Urban Job Incentive Program Tax credits by commercial facilities. In the future, the State Legislature may tie the availability of other incentives to CARD plan approvals.

NOTICE OF
PUBLIC HEARING
Planning and Develop-
ment Committee of the Bos-
ton City Council will hold a
public hearing on Tuesday,
May 12, 1981 at 9:00 A.M. in
Council Chamber to dis-
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vard Avenue Commercial
Revitalization District
(D).

Proposed Harvard Ave-
nue CARD encom-
passes that portion of Allston
beginning on
Clinton Street, just north of
Bridge Street, proceed-
ing easterly, parallel to and
north of Cambridge
Street, to the northern border
of 3-9 North Beacon
Street, excluding the proper-
ties located between Denby
Rugg Road and Hans
and Emery Road;
proceeding northwesterly
parallel to and slightly
north of North Beacon Street
to the northern border of
North Beacon Street;
proceeding southwest-
ward across North Beacon
Street along the easterly bor-
der of Lot 515 Cambridge
Street and continuing south-
westerly along the westerly
border of Lot 521 Cambridge
Street to the center of Cam-
bridge Street; thence pro-
ceeding southeasterly along
Bridge Street to the cen-
ter of Union Square (where
Beacon Street meets Bright-
on Avenue and Cambridge
Street); thence proceeding
easterly along Brighton Ave-
nue to Islington Street,
continuing southerly
rear of Lot 252 Brighton
Street; thence proceeding
easterly, parallel to and
south of Brighton Ave-
nue along the northern bor-
der of Lot 51 Park Vale Ave-
nue, excluding the property
located at Lot 178 Brighton
Street; thence proceeding
easterly, parallel to and
south of Park Vale Avenue to
the eastern border of 15
Little Avenue, thence
proceeding easterly on Glenville
Street to the westerly bor-
der of Lot 2 Glenville Avenue;
proceeding southeasterly
along the northern border
of 191 Harvard Avenue;
turning southwesterly
along the easterly border of Lot
Commonwealth Avenue;
proceeding southerly
along the center of Common-
wealth Avenue; thence turn-
ing southwesterly proceeding
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Commonwealth Ave-
nue, Lot 1264-1274 Common-
wealth Avenue. Thence pro-
ceeding along the boundary
of said lot and return to
center line of Common-
wealth Avenue; thence pro-
ceeding easterly along Com-
wealth Avenue to the easterly
border of Lot 1211 Common-
wealth Avenue; thence pro-
ceeding northerly parallel to
east of Linden Street to
northern border of Lot 118
Common Avenue; then east-
ward along Linden Street; thence
proceeding easterly, south of
Linden Street, parallel to
Brighton Avenue across
Reedsdale Street,
Fordham Street, and St. Lukes Road to
the easterly boundary of Lot
Commonwealth Avenue;
turning southeasterly
along the center line
Commonwealth Avenue;
turning northerly pro-
ceeding across Brighton Ave-
nue along the easterly
border of Lot 1 Brighton Ave-
nue turning westerly
continuing north of and
parallel to Brighton Avenue
along the easterly border
of Lot 139 Bright-
on Avenue, excluding Lots 19-
24, Lots 37-77 Brighton Ave-
nue; thence proceeding
westward to Gardner Street west-
ward of Harvard Avenue and
proceeding northerly along Harvard
Avenue to the southerly bor-
der of Lot 73 Harvard Ave-
nue; thence proceeding west-
ward parallel to and south of
Ford Terrace to the west-
ern border of Lot 16 Harvard
Avenue; thence proceeding
easterly along the westerly
border of Lot 17 Harvard
Avenue and thence easterly
along the northern border
of Lot 14 and north of Harvard
Avenue to the west border of
Lot 63 Harvard Avenue;
proceeding southerly
along Harvard Terrace and then
easterly to Harvard Avenue;
continuing northerly
along Brighton Avenue and
easterly along Farring-
ton Avenue approximately
parallel to, then northerly paral-

PUBLISHER'S CERTIFICATE

Commonwealth of Massachusetts } ss.
County of Suffolk }

On this 8th day of May A. D. 19 81
personally appeared before the undersigned, a Notary Public, within
and for the said county, Betty Walker

of the Boston Herald American a newspaper published by
The Hearst Corporation, in Boston, County of Suffolk, in the Common-
wealth of Massachusetts, and who being duly sworn, states on oath that the
Boston Redevelopment Authority Harvard Ave. CARD
Public Hearing 5/12/81 advertisement

was published in said newspaper in its issues of

May 1, A. D. 19 81

Betty Walker

Subscribed and sworn to before me, this 8th

day of May A. D. 19 81

Florence M. Ambrose

Notary Public

lot to the east of Harvard Ave-
nue to the southerly border
of Lot 373 Cambridge Street;
thence proceeding easterly to
Highgate Street and then
northerly along Highgate
Street across Cambridge
Street and along the northern
boundary line of Lot 353 Cam-
bridge Street to Franklin
Street.
Section 12 of Chapter 40B of
the General Laws, as
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thorized the use of tax-
exempt industrial revenue
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centive Program Tax credits
for commercial facilities. In
the future, the State Legisla-
ture may tie the availability
of other incentives to CARD
plan approvals.

May 7

CITY OF BOSTON
IN CITY COUNCIL

WHEREAS, in accordance with Chapter 40D and 23D, Massachusetts General Laws, the Commonwealth of Massachusetts acting by and through the Secretary of Communities and Development may approve Commercial Area Revitalization District Plans (herein referred to as CARD Plans); and

WHEREAS, such approval is a precondition for the use of various state financial incentives for commercial and mixed commercial and residential development that would be in the public interest of the citizens of Boston; and

WHEREAS, the redevelopment of the Harvard Avenue Area, under the proposed CARD plan, the boundaries of which are described on Page 5 of the proposed Harvard Avenue Area CARD, would result in physical redevelopment of said District and the creation of employment pursuant to the above-cited statutes:

NOW, THEREFORE, BE IT ORDERED BY THE BOSTON CITY COUNCIL:

1. That the area encompassed by the proposed Harvard Avenue Area CARD Plan is a predominantly commercial geographic area; and
2. That implementation of the proposed CARD Plan will serve to avert and reverse the decay of the area covered by the plan and will help deter the movement of commercial enterprises into previously non-commercial area; and
3. That the Harvard Avenue Area CARD Plan is hereby approved and that said Plan shall be submitted to the Secretary of Communities and Development for approval.

In City Council May 14, 1981. Passed.

Approved by the Mayor May 19, 1981.

Attest:


City Clerk

Boston

May 28, 1981

Secretary Byron Matthews
Executive Office of Communities
and Development
Saltonstall Building
100 Cambridge Street
Boston, Massachusetts 02201

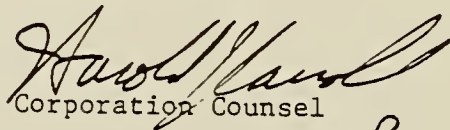
Dear Secretary Matthews:

I am an Attorney qualified to practice law in the Commonwealth of Massachusetts and as the Corporation Counsel of the City of Boston, I am the Attorney for the City of Boston.

I have reviewed the document entitled "Application for Designation of the Harvard Avenue Area CARD", certain notices of a public hearing held by the Boston City Council and a Resolution passed by the City Council and approved by the Mayor.

I find that the above CARD Plan and the approval of the Mayor and City Council as the local governing body of the City of Boston are in accordance with law.

Yours very truly,


Corporation Counsel
ELP



